

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

UNITED STATES OF AMERICA,)	JUDGMENT IN A CIVIL CASE CASE NO. 5:19-CV-94-D
)	
Plaintiff,)	
)	
v.)	
DOUGLAS DALE CLINE, CHAD DALE CLINE, and BJ TRUCKING COMPANY, INC.,)	
)	
Defendants.)	

Decision by Court. This action came before this Court and jury for ruling as follows.

IT IS ORDERED, ADJUDGED, AND DECREED that on August 20, 2021, the court GRANTED in part and DENIED in part defendants' motion for summary judgment [D.E. 29]. The court GRANTED summary judgment to Douglas Dale Cline on all four counts under the False Claims Act. The court DENIED summary judgment to Chad Dale Cline and BJ Trucking Company, Inc. on counts one, two, and three under the False Claims Act. The court GRANTED summary judgment to Chad Dale Cline and BJ Trucking, Inc. on count four under the False Claims Act (i.e., the conspiracy count). The United States has WITHDRAWN counts five, six, and seven, and those counts are no longer in the case. The court DENIED summary judgment to all three defendants on plaintiff's claim in count eight under 28 U.S.C. § 3304(a)(2). The court GRANTED summary judgment to defendant Douglas Dale Cline on plaintiff's claim in count eight under 28 U.S.C. § 3304(b). The court DENIED summary judgment to defendants Chad Dale Cline and BJ Trucking Co., Inc. on plaintiff's claim in count eight under 28 U.S.C. § 3304(b).

IT IS FURTHER ORDERED, AND DECREED that the jury returned a verdict on September 15, 2022, in favor of the United States and against Defendants BJ Trucking Company, Inc. and Chad Cline for 29 false claims, resulting in \$1,679,086 in damages under the False Claims Act (31 U.S.C. § 3729(a)).

IT IS FURTHER ORDERED, AND DECREED that the jury returned a verdict on September 15, 2022, that Defendant BJ Trucking Company improperly transferred \$18,000 to Doug Cline on July 16, 2015, in violation of the Federal Debt Collection Procedures Act.

IT IS FURTHER ORDERED, AND DECREED that the jury returned a verdict on September 15, 2022, that Defendant BJ Trucking Company improperly transferred \$75,000 to DDC Properties, Inc., on August 4, 2015, in violation of the Federal Debt Collection Procedures Act.

IT IS FURTHER ORDERED, AND DECREED that the jury returned a verdict on September 15, 2022, that Defendant BJ Trucking Company improperly transferred \$18,000 to Doug Cline on August 11, 2015, in violation of the Federal Debt Collection Procedures Act.

IT IS FURTHER ORDERED, AND DECREED that the jury returned a verdict on September 15, 2022, that Defendant BJ Trucking Company improperly transferred \$35,000 to Sharon Cline on August 31, 2015, in violation of the Federal Debt Collection Procedures Act.

IT IS FURTHER ORDERED, AND DECREED that the jury returned a verdict on September 15, 2022, that Defendant BJ Trucking Company improperly transferred \$200,015 to DDC Properties, Inc., on September 3, 2015, in violation of the Federal Debt Collection Procedures Act.

IT IS FURTHER ORDERED, AND DECREED that the jury returned a verdict on September 15, 2022, that Defendant BJ Trucking Company improperly transferred \$18,000 to Doug Cline on September 3, 2015, in violation of the Federal Debt Collection Procedures Act.

IT IS FURTHER ORDERED, AND DECREED that the jury returned a verdict on September 15, 2022, that Defendant BJ Trucking Company improperly transferred \$75,000 to Sharon Cline on October 5, 2015, in violation of the Federal Debt Collection Procedures Act.

IT IS FURTHER ORDERED, AND DECREED that the Court enters JUDGMENT against Defendants BJ Trucking Company and Chad Cline, jointly and severally, for \$5,196,758 for FCA violations, JUDGMENT against Defendants Doug Cline, Chad Cline and BJ Trucking Company, jointly and severally, for \$439,015 for FDCPA violations, and ORDERS the avoidance of the seven transfers to Doug Cline, DDC Properties, Inc., and Sharon Cline found by the jury to be FDCPA violations, and ORDERS Defendants Doug Cline, Chad Cline and BJ Trucking Company to recover these funds from the transferees and pay over this \$439,015 to the United States (to the extent \$439,015 judgment not paid), as an additional FDCPA equitable remedy.

This Judgment Filed and Entered on October 25, 2022, and Copies To:

Christopher M. Anderson	(via CM/ECF electronic notification)
Neal Fowler	(via CM/ECF electronic notification)
J. Patrick Haywood	(via CM/ECF electronic notification)
Rachel S. Decker	(via CM/ECF electronic notification)

DATE:
October 25, 2022

PETER A. MOORE, JR., CLERK
(By) /s/ Nicole Sellers
Deputy Clerk